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Federal Communications Commission  
Washington DC 20554

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FEB 17 1997

Reference MM Docket No 91-221 and MM Docket No 87-7

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This letter is regarding public comment on the Commission's regulations governing ownership rules of broadcast television.

I do not own a group of broadcasting stations, nor have I retained a sophisticated broadcast attorney to present sugar-coated facts that hide the real underlying issues. However, I do have something more powerful: first hand experience on how an *LMA* agreement can devastate a local community. I have witnessed what big money can do without regard to corporate responsibility, and the breaking of a social contract with a community it is suppose to serve.

I am specifically referring to the so called *LMA* agreement between Ackerley Communications (owners the Fox station KCBA-TV) and Harron Television (licensee of the CBS Affiliate KCCN-TV) in the small television market of Monterey/Salinas California. This agreement is a farce. Let's call it what it is - a Duopoly. Ackerley now controls 66% of the local news coverage. A legal loophole has cheated the public and allowed the only independent English speaking voice on the Monterey Peninsula to be silenced.

It was not a secret that KCCN's owner Harron Television was in financial trouble, but there were other viable offers to keep the CBS Affiliate KCCN-TV an independent, competitive broadcast station that the public deserved.

You have asked to be provided with strong factual evidence, and comment on whether such "LMA" agreements reduce viewpoint and program diversity. You've questioned, "Would a single owner of two stations be less likely to present diverse opinions and less likely to serve diverse audiences than would two unaffiliated owners?"

Let's look at the evidence. It didn't take long for Ackerley to commit the first of many public fouls proving that such LMA agreements are NOT IN THE BEST INTEREST OF THE PUBLIC IN SMALL TELEVISION MARKETS. Only minutes after officially announcing the partnership of Ackerley/Harron, all of KCCN's newscasts were immediately pulled off the air. Reruns of "Married With Children" ran in the time period where diverse viewpoints and fair reporting should have prevailed. What an arrogant and unethical display of power!

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Of course, such blatant acts still continue. On any given day, it is quite apparent that the news operation of KCBA/KCCN is indeed one-voice, one entity, one corporation designed for profit rather than promoting competition and programming with viewpoint diversity. The same news footage appears on both stations with exactly the same angle covered. It sounds a little like "Big Brother" to me.

Further evidence is provided by examining the predicament that many of the local non-profit groups are now in. These organizations have limited funds and rely on the trust of television broadcasters to service the needs of an under-served segment of the society. The new KCCN/KCBA team has been unresponsive to this demand. Double-loading the duties of one staff now reduces the resources necessary to promote and support public service messages and activities. The non-profit groups are reluctant to speak out for fear of further alienation from KCCN/KCBA's power in deciding the future success of their organization.

As Big Business scrambles to provide the FCC with the right legal "mumbo jumbo" needed to keep up the "farce," someone should ask who is fighting for the rights of the average viewer? As Big Business pours thousands of dollars to defend their greedy operation, let's think about the average viewer and where can he turn to for unbiased fair news coverage? Let's also think about the small business owner faced with buying advertising from a group now owning 2/3 of the competitive market place. I don't think they are getting a fair deal. It doesn't sound like the public interest, convenience and necessity are being served to me.

It is a shame that we have to legislate corporate responsibility. But we should learn from the KCBA/KCCN fiasco that legal loopholes need to be closed and any further relaxation of local ownership rules is not in the interest of the public.

If the FCC's true priorities are that of diversity and competitive marketing, I am confident that you cannot and will not Grandfather such an "LMA" agreement and that you will prevent this from happening in other small TV markets.

Frances Dillard  
544 Pershing Road  
Carlisle Pennsylvania 17013  
(205) 258-8547

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*Frances Dillard is the former Promotion Manager/Community Relations Director of the CBS Station KCCN-TV 46 in Monterey California. Previous broadcasting experience includes several Top 50 markets including ABC Network. Currently Ms. Dillard is working on her MBA at Penn State University.*